

## REMARKS

### Introduction

Claims 1-167 are pending in this case.

The Examiner rejected claims 1, 2, 7, 13, 15, 17-41, 46, 52, 54-58, 63, 69, 71, 73-96, 101, 107, 109-113, 118, 124, 126, 128-152, 157, 163, and 165-167 under 35 U.S.C. § 102(e) as being anticipated by Schein et al. U.S. Patent 6,002,394 (hereinafter "Schein"). The Examiner rejected claims 3, 4, 9, 10, 42, 43, 48, 49, 59, 60, 65, 66, 97, 98, 103, 104, 114, 115, 120, 121, 153, 154, 159, and 160 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Lawler et al. U.S. Patent 5,699,107 (hereinafter "Lawler"). The Examiner has rejected claims 5, 6, 11, 12, 44, 45, 50, 51, 61, 62, 67, 68, 99, 100, 105, 106, 116, 117, 122, 123, 155, 156, 161, and 162 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Ming et al. U.S. Patent 5,710,815 (hereinafter "Ming"). The Examiner has rejected claims 8, 14, 47, 53, 64, 70, 102, 108, 119, 125, 158, and 164 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Casement et al. U.S. Patent 5,969,748 (hereinafter "Casement"). The Examiner has rejected claims 16, 72, and 127 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Seibert U.S. Patent 6,601,107 (hereinafter "Seibert").

Reconsideration of this application in light of the following remarks is hereby respectfully requested.

#### Amendments to The Claims

Applicants have amended claims 1, 41, 54, 56, 57, 96, 109, 111, 112, 152, 165, and 167 to more particularly define applicants' claimed features. No new matter has been added and the amendments are fully supported by the applicants' original specification.

Claims 1-40, 54, 55, 57-95, 109, 110,  
112-151, 165, and 166

The Examiner has rejected claims 1, 2, 7, 13, 15, 17-40, 54, 55, 57, 58, 63, 69, 71, 73-95, 109, 110, 112, 113, 118, 124, 126, 128-151, 165, and 166 under 35 U.S.C. § 102(e) as being anticipated by Schein. The Examiner has rejected claims 3, 4, 9, 10, 59, 60, 65, 66, 114, 115, 120, and 121 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Lawler. The Examiner has rejected claims 5, 6, 11, 12, 61, 62, 67, 68, 116, 117, 122, and 123 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Ming. The Examiner has rejected claims 8, 14, 64, 70, 119, and 125 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Casement. The Examiner has rejected claims 16, 72, and 127 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Seibert. The Examiner's rejections are respectfully traversed.

Applicants' amended independent claims 1, 54, 57, 109, 112, and 165 relate to systems and methods for providing program guide data to an interactive television program guide. The program guide data can include current program guide data and/or one or more unique identifiers. The interactive television program guide can obtain the current program guide data directly from a continuous data stream for inclusion in program guide displays on user television equipment. The interactive television program guide can also obtain the one or more unique identifiers from the continuous data stream. In addition, some of the program guide data can be obtained from a program guide server in response to requests generated by the interactive television program guide.

Applicants' claimed approach of allowing an interactive television program guide to obtain program guide data both from a continuous data stream and in a client-server arrangement advantageously allows for frequently-needed program guide data to be available more quickly without requiring persistent storage at the user television equipment (see page 5, lines 8-21 and page 17, line 23 to page 18, line 2 of applicants' specification).

Schein refers to "systems and methods for providing television schedule information to a viewer, and for allowing the viewer to retrieve, search, select and interact with information in a remote database" (see Abstract).

While applicants' invention, as defined by independent claims 1, 54, 57, 109, 112, and 165, may generally implicate the subject matter of Schein, applicants' invention patentably improves upon Schein by providing an interactive television program guide that 1) obtains current program guide data directly from a continuous data stream for inclusion in program guide displays on the user television equipment and also 2) obtains some of the program guide data from a program guide server in response to requests generated by the interactive television program guide (emphasis added).

Accordingly, applicants respectfully submit that independent claims 1, 54, 57, 109, 112, and 165 are now in condition for allowance. Claims 2-40, which depend from independent claim 1, claims 58-95, which depend from independent claim 57, claim 110, which depends from independent claim 109, claims 113-151, which depend from independent claim 112, and claim 166, which depends from independent claim 165, are also in condition for allowance.

Claims 41-53, 56, 96-108, 111, 152-164, and 167

The Examiner has rejected claims 41, 46, 52, 56, 96, 101, 107, 111, 152, 157, 163, and 167 under 35 U.S.C. § 102(e) as being anticipated by Schein. The Examiner has rejected claims 42, 43, 48, 49, 97, 98, 103, 104, 153, 154, 159, and 160 under 35 U.S.C. § 103(a) as being unpatentable over

Schein in view of Lawler. The Examiner has rejected claims 44, 45, 50, 51, 99, 100, 105, 106, 155, 156, 161, and 162 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Ming. The Examiner has rejected claims 47, 53, 102, 108, 158, and 164 under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Casement. The Examiner's rejections are respectfully traversed.

Applicants' amended independent claims 41, 56, 96, 111, 152, and 167 relate to systems and methods for providing program guide data to an interactive television program guide. The program guide data can include one or more unique identifiers that are obtained from a continuous data stream. The interactive television program guide can perform a real-time action (e.g., set a reminder, order a pay-per-view program, record a program, lock and unlock a program), associated with a television program identified by a particular unique identifier when the particular unique identifier is in the continuous data stream. Some of the program guide data can also be obtained from a program guide server in response to requests generated by the interactive television program guide.

In addition to the advantages of allowing an interactive television program guide to obtain program guide data both from a continuous data stream and in a client-server arrangement as described above, applicants' claimed approach

also advantageously allows for the interactive television program guide to accommodate last-minute scheduling changes that can affect a real-time action (see pages 38-39 of applicants' specification).

While applicants' invention, as defined by independent claims 41, 56, 96, 111, 152, and 167, may generally implicate the subject matter of Schein, applicants' invention patentably improves upon Schein by providing an interactive television program guide that performs a real-time action associated with a television program identified by a particular unique identifier when the particular unique identifier is in the continuous data stream.

Independent claims 56, 96, 111, and 167 are at least allowable for the reasons set forth above in connection with independent claims 41, 56, 96, 111, 152, and 167. Claims 56, 96, 111, and 167 provide for an interactive television program guide that 1) obtains one or more unique identifiers from a continuous data stream and also 2) obtains some of the program guide data from a program guide server in response to requests generated by the interactive television program guide (emphasis added).

The Examiner further states that Schein describes performing "a real-time action when a particular unique identifier is in the continuous data stream" at column 5, lines 45-50 (Office Action, p. 3, paragraph 1). Schein

describes a computer program that includes "software needed for receiving, organizing and displaying data for the television schedule guide" (see column 5, lines 38-41, emphasis added). The computer program can be provided on a diskette, a CD ROM, downloaded from a satellite, transmitted through the internet or other on-line service, or transmitted through another type of land line (see column 5, lines 38-50). The passage cited by the Examiner relates to displaying data in a television schedule guide and not for performing a real-time action associated with a television program identified by a particular unique identifier when the particular unique identifier is in the continuous data stream as recited in applicants' independent claims 41, 56, 96, 111, 152, and 167.

Accordingly, applicants respectfully submit that independent claims 41, 56, 96, 111, 152, and 167 are now in condition for allowance. Claims 42-53, which depend from independent claim 41, claims 97-108, which depend from independent claim 96, and claims 153-164, which depend from independent claim 152, are also in condition for allowance.

#### Formal Drawings

The Notice of Draftsperson's Patent Drawing Review indicates that the drawings filed June 11, 1999 are objected to because of improper margins. Applicants respectfully

request that the formal drawings mailed on October 20, 1999 be accepted by the Examiner.

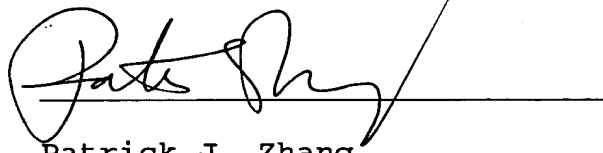
Information Disclosure Statement

Applicants have not yet received initialed PTO-1449 Forms for the Information Disclosure Statements mailed on June 11, 1999 and April 20, 2000. Applicants respectfully request that copies of the PTO-1449 Forms, as considered and initialed by the Examiner, be returned with the next communication.

Conclusion

Applicants submit that this application is now in condition for allowance. Accordingly, prompt consideration and allowance of this application are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patrick J. Zhang", is written over a horizontal line.

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